

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

ATTORNEY AFFIRMATION

– against –

Civil Action No.: 11-CIV-8731

MICHAEL R. BALBOA and GILLES
T. DE CHARSONVILLE,

Defendants.

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I, Joseph Tacopina, Esq., an attorney duly admitted to practice in the Courts of the State of New York hereby affirm under the penalty of perjury the following to be true:

1. I am a partner of the firm of Tacopina Seigel & Turano, P.C., attorneys for defendant Michael Balboa (“Defendant”) in the above-captioned matter. As such, I am fully familiar with all of the facts and circumstances of this case.
2. I submit this Affidavit is in support of Defendant’s Motion to Stay this civil proceeding until the conclusion of the criminal matter in which Defendant Balboa is charged.
3. Currently pending in the United States District Court for the Southern District of New York is United States v. Michael Balboa, 11 MAG 3088. The Complaint is directly related to Plaintiff Securities and Exchange Commission’s (“SEC”) civil action here.
4. As discussed more fully in the accompanying Memorandum of Law, the continuation of this SEC civil proceeding, particularly the discovery process, will burden the rights of the Defendant against self-incrimination in the criminal case.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
February 22, 2012



JOSEPH TACOPINA, ESQ.